

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S13795–S13888

Measures Introduced: Five bills were introduced, as follows: S. 2926–2930. **Pages S13882–83**

Measures Reported:

S. 69, to establish a fact-finding Commission to extend the study of a prior Commission to investigate and determine facts and circumstances surrounding the relocation, internment, and deportation to Axis countries of Latin Americans of Japanese descent from December 1941 through February 1948, and the impact of those actions by the United States, and to recommend appropriate remedies. (S. Rept. No. 111–112)

S. 1178, to extend Federal recognition to the Chickahominy Indian Tribe, the Chickahominy Indian Tribe-Eastern Division, the Upper Mattaponi Tribe, the Rappahannock Tribe, Inc., the Monacan Indian Nation, and the Nansemond Indian Tribe, with amendments. (S. Rept. No. 111–113)

Page S13882

Measures Passed:

Nuclear Forensics and Attribution Act: Senate passed H.R. 730, to strengthen efforts in the Department of Homeland Security to develop nuclear forensics capabilities to permit attribution of the source of nuclear material, after agreeing to the committee amendment in the nature of a substitute.

Pages S13886–87

Commercial Space Transportation Liability Regime: Senate passed H.R. 3819, to extend the commercial space transportation liability regime, clearing the measure for the President.

Page S13887

Measures Considered:

Service Members Home Ownership Tax Act—Agreement: Senate continued consideration of H.R. 3590, to amend the Internal Revenue Code of 1986 to modify the first-time homebuyers credit in the case of members of the Armed Forces and certain other Federal employees, taking action on the following amendments proposed thereto:

Pages S13796–S13866

Adopted:

By 60 yeas to 39 nays (Vote No. 394), Reid Amendment No. 2786, in the nature of a substitute.

Pages S13796–S13834

Withdrawn:

Reid (for Cardin) Amendment No. 2878 (to Amendment No. 2786), to provide for the establishment of Offices of Minority Health. **Pages S13796, S13833**

Reid Amendment No. 3292 (to Amendment No. 2878), to change the effective date. **Page S13796**

During consideration of this measure today, the Senate also took the following action:

By 39 yeas to 60 nays (Vote No. 389), Senate determined that the point of order against Reid Amendment No. 2786 (listed above), as being in violation of Congress's enumerated powers in article 1, section 8, and in being in violation of the 5th Amendment of the United States Constitution, was not well-taken.

Pages S13830–31

By 55 yeas to 44 nays (Vote No. 390), Senate agreed to the motion to waive section 425(a)(2) of the Congressional Budget Act of 1974 with respect to Reid Amendment No. 2786 (listed above). Thus, the point of order raised was rendered moot.

Pages S13804, S13831

Appeal of the Ruling of the Chair with respect to Senate Rule 44, paragraph 4 (disclosure of congressionally directed spending) on Reid Amendment No. 2786 (listed above). (By 57 yeas to 42 nays (Vote No. 391), Senate tabled the Appeal.)

Pages S13810, S13831–32

By 39 yeas to 60 nays (Vote No. 392), Senate determined that the point of order against Reid Amendment No. 2786 (listed above), as being in violation of the 10th Amendment of the United States Constitution, was not well-taken.

Pages S13822, S13832

Motion to suspend Rule 22 of the Standing Rules of the Senate for the purpose of proposing and considering DeMint Amendment No. 3297 (create point of order). (By 53 yeas to 46 nays (Vote No. 393), Senate tabled the Motion.)

Pages S13832–33

By 60 yeas to 39 nays (Vote No. 395), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to close further debate on the bill.

Page S13834

A unanimous-consent agreement was reached providing for further consideration of the bill at 6:45

a.m., on Thursday, December 24, 2009, with the time until 7 a.m. equally divided and controlled between the two Leaders, or their designees; and Senate vote on passage of the bill at 7 a.m., as provided for under the previous order. **Page S13887**

Message from the President: Senate received the following message from the President of the United States:

Transmitting, pursuant to law, the notification of the President's intention to designate the Republic of Maldives as a beneficiary developing country and to terminate the designations of Croatia and Equatorial New Guinea as beneficiary developing programs under the Generalized System of Preferences program; which was referred to the Committee on Finance. (PM-39) **Page S13881**

McGee Nomination—Referral Agreement: A unanimous-consent agreement was reached providing that Committee on Environment and Public Works be discharged from further consideration of the nomination of Timothy McGee, of Louisiana, to be an Assistant Secretary of Commerce, and be referred to the Committee on Commerce, Science and Transportation. **Page S13887**

Nominations Received: Senate received the following nominations:

Daniel J. Becker, of Utah, to be a Member of the Board of Directors of the State Justice Institute for a term expiring September 17, 2010.

James R. Hannah, of Arkansas, to be a Member of the Board of Directors of the State Justice Institute for a term expiring September 17, 2010.

Gayle A. Nachtigal, of Oregon, to be a Member of the Board of Directors of the State Justice Institute for a term expiring September 17, 2012.

John B. Nalbandian, of Kentucky, to be a Member of the Board of Directors of the State Justice Institute for a term expiring September 17, 2010.

André Birotte, Jr., of California, to be United States Attorney for the Central District of California for the term of four years.

David A. Capp, of Indiana, to be United States Attorney for the Northern District of Indiana for the term of four years.

Richard S. Hartunian, of New York, to be United States Attorney for the Northern District of New York for the term of four years.

William Joseph Hochul, Jr., of New York, to be United States Attorney for the Western District of New York for the term of four years.

Ronald C. Machen, Jr., of the District of Columbia, to be United States Attorney for the District of Columbia for the term of four years.

Anne M. Tompkins, of North Carolina, to be United States Attorney for the Western District of North Carolina for the term of four years.

Sally Quillian Yates, of Georgia, to be United States Attorney for the Northern District of Georgia for the term of four years.

Noel Culver March, of Maine, to be United States Marshal for the District of Maine for the term of four years.

George White, of Mississippi, to be United States Marshal for the Southern District of Mississippi for the term of four years.

Beatrice A. Hanson, of New York, to be Director of the Office for Victims of Crime. **Page S13888**

Nomination Withdrawn: Senate received notification of withdrawal of the following nomination:

Suede G. Kelly, of New Mexico, to be a Member of the Federal Energy Regulatory Commission for the term expiring June 30, 2014, which was sent to the Senate on July 28, 2009. **Page S13888**

Messages from the House: **Pages S13881-82**

Measures Referred: **Page S13882**

Executive Communications: **Page S13882**

Executive Reports of Committees: **Page S13882**

Additional Cosponsors: **Page S13883**

Statements on Introduced Bills/Resolutions: **Pages S13883-86**

Additional Statements: **Page S13881**

Authorities for Committees to Meet: **Page S13886**

Privileges of the Floor: **Page S13886**

Record Votes: Seven record votes were taken today. (Total—395) **Pages S13830-34**

Adjournment: Senate convened at 9:45 a.m. and adjourned at 8:15 p.m., until 6:45 a.m. on Thursday, December 24, 2009. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S13887.)

Committee Meetings

(Committees not listed did not meet)

BUSINESS MEETING

Committee on Finance: Committee ordered favorably reported the nominations of Lael Brainard, of the District of Columbia, to be Under Secretary, Michael F. Mundaca, of New York, and Mary John Miller, of Maryland, both to be Assistant Secretary, and Charles Collyns, of Maryland, to be a Deputy Under Secretary, all of the Department of the Treasury, Michael W. Punke, of Montana, to be a Deputy United